

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

– against –

JEAN CARRENARD,

Defendant.

ORDER

21 Cr. 506 (ER)
22 Civ. 4933 (ER)

RAMOS, D.J.:

Jean Carrenard, *pro se*, moved to correct sentence pursuant to 28 U.S.C. § 2255 on June 10, 2022. Doc. 37. On June 15, 2022, the Court issued an order in the corresponding civil action, 22 Civ. 4933, directing the Government to respond to the § 2255 motion by August 15, 2022. *See* 22 Civ. 4933 (“Civ.”) Doc. 3. The Government, however, never received notice of this order, as it was filed in the civil action, in which the Government had not yet appeared, but not in the criminal action, in which the Government had appeared.

Carrenard moved for default judgment on March 17, 2023, for failure of the Government to timely respond to his § 2255 motion. Doc. 38. That same day, the Government filed a notice of appearance in the civil action, Civ. Doc. 6, and a letter in opposition to Carrenard’s motion for default judgment, explaining that it was unaware that the Court had ordered it to answer the § 2255 motion by August 15, 2022, Doc. 39. In its opposition letter, the Government also responded to Carrenard’s § 2255 motion. *Id.*

In light of the foregoing, the motion for default judgment is hereby denied. Carrenard is directed to reply to the Government's opposition letter by May 19, 2023. The Clerk of Court is respectfully directed to terminate the motion for default judgment, Doc. 38; Civ. Doc. 5, and to mail a copy of this order to Carrenard.

It is SO ORDERED.

Dated: March 20, 2023
New York, New York

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is written above a horizontal line.

EDGARDO RAMOS, U.S.D.J.